REMARKS

The Official Action mailed April 30, 2009, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on June 9, 2006, and September 26, 2008.

A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 1-38 are pending in the present application, of which claims 1, 2, 4, 5 and 7 are independent. Claims 2, 7 and 26 have been amended to better recite the features of the present invention. The Applicant notes with appreciation the indication of the allowance of claims 7, 16, 17, 22-24, 28, 37 and 38 (Box 5, Office Action Summary, page 6, Paper No. 20090429). For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 1 of the Official Action objects to claim 26 and suggests that "the second layer comprises DNTPD" should be changed to "the first layer comprises DNTPD." In response, Applicant has amended claim 26 in accordance with the Examiner's suggestion. Accordingly, reconsideration and withdrawal of the objections are in order and respectfully requested.

Paragraph 3 of the Official Action rejects claims 1-6, 8-15, 18-21, 25 and 29-36 as anticipated by U.S. Publication No. 2005/0098207 to Matsumoto. (The Official Action appears to include a typographical error in that the Official Action cites "2002/0098207" at page 2 (emphasis added); however, Form PTO-892 clearly cites U.S. Publication No. 2005/0098207 to Matsumoto.) In order to overcome this rejection, a verified English translation of priority application JP 2004-216503 filed July 23, 2004, is filed concurrently herewith. Since Matsumoto has a U.S. filing date of November 8, 2004, which is later than the filing date of JP '503, the Applicant respectfully submits

that the rejections under § 102(e) should be overcome. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(e) are in order and respectfully requested.

Paragraph 5 of the Official Action rejects claims 1-6, 8-15, 18-21, 25 and 29-36 as anticipated by U.S. Patent No. 6,717,358 to Liao. The Applicant respectfully traverses the rejection because the Official Action has not established an anticipation rejection. Paragraph 7 of the Official Action rejects claims 26-27 as obvious based on Liao. The Applicant respectfully traverses the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach, either explicitly or inherently, or suggest all the features of the independent claims. Independent claims 1, 2, 4 and 5 recite that a first layer is in contact with a first electrode. For the reasons provided below, Liao does not teach, either explicitly or inherently, or suggest the above-referenced features of the present invention.

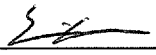
The Official Action asserts that Liao teaches "a first layer 133" and "a first electrode 140" (pages 3-4, Paper No. 20090429). That is, the Official Action appears to be taking the position that the p-type doped organic layer 133, which is included in the connecting unit 130.(N-1), corresponds with the first layer of the present claims and that the cathode 140 corresponds with the first electrode of the present claims. The Applicant respectfully disagrees and traverses the assertions in the Official Action. Layer 133 is not in contact with cathode 140, which is readily evidenced by the fact that EL unit 120.N is provided between the connecting unit 130.(N-1) and the cathode 140 (see Figure 1). Therefore, Liao does not teach, either explicitly or inherently, or suggest that a first layer is in contact with a first electrode.

Since Liao does not teach, either explicitly or inherently, or suggest the above-referenced features of the present invention, anticipation and obviousness rejections cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,



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